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Committee on Economic, Social and Cultural Rights

Consideration of reports submitted by States parties under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights

Third periodic reports of States parties due in 2017

Slovakia*, **

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** The annexes to the present report are available for consultation from the Committee secretariat. They may also be accessed from the web page of the Committee.

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General

Introduction

1. The Slovak Republic (hereinafter "SR"), as a State Party to the International Covenant on Economic, Social and Cultural Rights (hereinafter the "Covenant"), submits to the UN Committee on Economic, Social and Cultural Rights (hereinafter the "Committee") reports on the implementation of the Covenant in compliance with Articles 16 and 17 of the Covenant.

2. The SR hereby presents its Third Periodic Report to the International Covenant on Economic, Social and Cultural Rights (hereinafter the "Report"). The report gives information on the measures taken and the progress achieved in the period from 2012 until 2016 in the implementation of the rights recognised in the Covenant.

3. The report was drawn up by the Ministry of Foreign and European Affairs of the Slovak Republic (hereinafter the "MFEA SR") in cooperation with the sectors concerned, based on the general guidelines of the Committee containing the recommendations on the content and form of individual periodic reports [1] and in conformance with specific recommendations from final observations adopted on 8 June 2012[2] after the assessment of the Second Report of the SR of 2009[3] (hereinafter the "Second Report of the SR").

4. The SR fulfils its commitments arising from international human rights treaties.[4]

Special provisions

Article 2

Guarantee of rights without discrimination

5. In 2016, the SR submitted to the UN Committee on the Elimination of Racial Discrimination its eleventh and twelfth periodic report to the International Convention on the Elimination of all forms of Racial Discrimination.[5] The report includes more specific measures adopted in order to eliminate all forms of discrimination in the SR.

Article 3

Equal rights of men and women

6. The SR is implementing the recommendations of the UN Committee on the Elimination of Discrimination Against Women to the fifth and sixth periodical report of the SR adopted in its final observation on 25 November 2015.[6]

7. The issue of equality of men and women was institutionally enhanced by means of key strategy documents. On 20 November 2014, the Government of the SR adopted a National Strategy for Gender Equality and a Gender Action Plan for the years 2014-2019. Both documents are linked to the assessment of the fulfilment of the National Strategy for Gender Equality and its action plan and they define the problematic areas for the equality of men and women, which require intervention and systematic work. Strategic areas and priorities defined in the strategy are as follows: economic independence and the labour market; participation in decision-making process within public and economic life;

[1] E/C.12/1991/1.
[2] E/C.12/SVK/CO/2.
[3] E/C.12/SVK/2.
[4] See CCPR/C/SVK/CO/4; CRC/C/SVK/CO/3-5; CRPD/C/SVK/CO/1; CEDAW/C/SVK/CO/5-6.
[5] CERD/C/SVK/11-12.
[6] CEDAW/C/SVK/CO/5-6.

education, science and research; dignity and physical integrity; institutional and legislative equality of men and women; international cooperation and development aid. They also include a proposal for solutions and the specification of main tasks and operational objectives for the period.

8. One of the specific objectives of the National Strategy for Gender Equality for the years 2014-2019 is the reduction of gender inequalities in the participation of women and men in decision-making positions. The operational objectives are as follows: to increase the representation of women in decision-making positions in political life, including their motivation and opportunity to stand as a candidate and participate; to promote women's entrepreneurship by creating systemic measures, including the reconciliation of family and professional life; to increase the representation of women in economic decision-making positions. In 2015, the Ministry of Labour, Social Affairs and Family of the Slovak Republic (hereinafter the "MLSAF SR") was actively supporting the balanced representation of women and men within the decision-making process by the means of a project called "Promotion of Balanced Representation of Women and Men in Leadership Positions in Organizations of Public and Private Sector" financed from the Progress subsidy scheme of the EC (hereinafter the "EC"). Further information is stated in point 1 of the appendix.

Article 6

Right to work

9. The right to work is governed by Law 5/2004, (hereinafter the "Law on Employment Services"). The right of access to employment is the right of a citizen, who wants to work, can work and seeks a job, to services focused on the assistance and support in relation to his access to the labour market and also the stay of a disadvantaged jobseeker on the labour market for at least six consecutive calendar months.

Employment services

10. Employment services represent a system of institutions and instruments of support and assistance for participants in the labour market in search of jobs, changing jobs, assistance in filling job vacancies and the implementation of measures on the labour market with regard to the employment of disadvantaged jobseekers. Pursuant to the Law on Employment Services, the category of disadvantaged jobseekers includes groups that encounter difficulties in gaining access to the labour market due to age, health status or other reasons. This group includes citizens younger than 26 years who are school graduates, citizens older than 50 years, the long-term unemployed, citizens with lower education, disabled citizens, single parents with at least 1 child, citizens without regular work for at least 12 months, third-country nationals who have been granted asylum or subsidiary protection.

11. Since 1 January 2015, a new active measure, specifically a contribution for promoting job creation in the first regularly paid employment, has been introduced in the area of integrating young people under 29 years of age into the labour market. This applies to a created job if an employer employs a jobseeker who is a citizen younger than 25 years who has been registered in a register of jobseekers for at least three months, or a jobseeker who is a citizen younger than 29 years and registered in this register for at least six months.

12. The Ministry of Economy of the SR (hereinafter the "ME SR") performs tasks to promote employment particularly by means of operational programmes and structural funds, also for individual disadvantaged social groups.

13. The Operational Programme Competitiveness and Economic Growth (hereinafter the "OP CEG"), in the 2007-2013 programming period, within individual calls, provided direct and indirect support to create jobs for long-term unemployed young people (hereinafter the "jobs for young people"), by which it contributed to the implementation of a EC initiative aimed at the reduction of the unemployment of young people. The jobs for

young people were created particularly in the form of the de minimis aid and in the form of State aid.

14. As of 31 December 2016, within the OP CEG, 1,349 jobs were created for young people from the planned 1,912 jobs. This is a success rate of 71%. The decrease in the number of jobs created compared to the previous monitored period was also caused by the extraordinary closure of projects. Of the total number of 7,658 newly created jobs, approximately every 4th job is occupied by a long-term unemployed young person.

15. In the case of calls executed exclusively in the form of State aid, 584 out of 795 planned jobs for young people were created within supported projects, which accounts for the success rate of 73%. Of the total number of 970 newly created jobs, more than a half of all jobs were created for long-term unemployed young people.

16. Job creation focused on young people will continue within the OP CEG also after the projects are finished, i.e. in the period of their compulsory sustainability.

17. The ME SR, within an approved OP Research and Innovations, supports, in the 2014-2020 programming period, mainly small and medium-sized enterprises in order to improve their competitiveness. The planned benefit of the OP Research and Innovation is stated in point 2 of the appendix.

Employment policy in the SR

18. The employment policy was implemented in compliance with the SR Government Manifesto (2012-2016). The reduction of high unemployment of young people and the systematic solution of long-term, especially regional unemployment was defined as a key task. Active labour market measures focus on better access of the unemployed to jobs and the labour market, paying particular attention to the employment of disadvantaged jobseekers. There are several types of measures, such as subsidised employment programmes — providing employers with contributions in order to promote the employment of the unemployed, providing contributions to start a business or to create jobs in public or private sectors.

19. The amended Law on Employment Services provides for the provision of active measures on the labour market since 1 May 2013. The legal framework for temporary employment agencies was also modified. There were also changes in the rendering of public employment services by the offices of labour, social affairs and family. On 1 January 2014, Directive 2011/98/EU was transposed by the amended Law on Employment Services. More detailed information on legislative measures is included in points 3-10 of the appendix.

20. The fundamental priorities of the policy of the government of the SR include the growth of productive employment based on the economic growth and restructuring of the economy, which will take into account the requirement of the creation of job opportunities and conditions for the gradual increase of the employment rate of citizens in productive age and the reduction of unemployment.

21. In the 2016-2020 the SR Government Manifesto the Government of the SR committed itself to support policies focused on the reduction of social and regional differences and the creation of jobs in regions. It will be achieving these objectives by means of regional development programmes for the least developed districts, including supporting the social economy by means of the combination of grants and financial instruments. The measures include the improvement of local business environment by stimulating self-employment and labour force mobility, the improvement of conditions for the existing jobs and jobs that are being created, in particular for women, young people and older workers.

22. The SR´s attention is also paid to the employment and status of women. The Businesswomen of Slovakia project is one of the success stories. This project was developed by the Slovak Business Agency in 1999 and its objective is to recognise women who achieve exceptional results in business and can assert themselves on the market as well. The project also focuses on the promotion of the most successful women who have managed to reconcile family and work responsibilities. The information on the

representation of the ME SR within a European platform WES (The European Network to Promote Women's Entrepreneurship) as well as individual recommendations of the Women's Voice project is included in points 11-12 of the appendix.

23. The ME SR has adopted measures such as lower fees for the first registration in commercial register by approximately 10%, which has resulted in lower administrative costs associated with starting a business. In the same period, thanks to the adoption of new comprehensive legislation on maintaining equity and the revised responsibility of statutory bodies, the obligation to deposit equity monetary deposits into a preliminary business account was abolished. As far as the employment of young perspective entrepreneurs is concerned, the ME SR is currently assessing possibilities to support the participation of small and medium-sized enterprises and specifically the start-ups and innovations within public procurement at the national level, which are also priorities at the EU level.

24. The National Employment Strategy of the SR up to 2020 was adopted by the government on 17 December 2014. Social partners, self-governments and professional public also took part in the development of the cross-sectoral document. The strategy focused on the identification of changes that must be made within cross-sectoral cooperation, in particular in the field of the functioning of social economy. The objective of the strategy is to achieve 72% employment, to improve living conditions of employees and to use financial resources for supporting employment more effectively. Strategic intentions are implemented in key areas: supporting job creation; innovations as an instrument to support employment; the implementation of the social economy; innovative instrument to support regional and local employment; the flexibility of employment relationships, working conditions, protection of work and work culture; the effective solution of long-term unemployment; the networking and development of public employment services.

25. OP Human Resources for the programming period 2014-2020 is based on a National Programme of Reforms of the SR, which defines measures for the strengthening of economic growth and employment. Within priority axis Youth Employment Initiative, the set objective was to increase the participation of young people in the labour market. Key activities should ensure that all young people, who are not employed, are not continuing their education process or vocational training younger than 29 years, are given a quality offer of employment, further training, vocational training and preparation or internship within four months after they lost their jobs or after the completion of formal education. During the monitored period, annual National Programmes of Reforms of the SR were prepared, which contain measures for increasing employment and labour force mobility.

26. The issue of employment and employability of older workers, including the measures for supporting active ageing of people older than 50 years, is included in a 2014-2020 National Programme of Active Ageing approved by the government of the SR in Dec. 2013.

27. The SR actively reacted to the calls of the EC to support the access of young people to the labour market and to create jobs in 2012 and adopted measures to facilitate the access of young people to the labour market. It separately adopted incentives for small and medium-sized enterprises to hire young people to be employed for the first time. Since 2014, the SR has adopted new measures (reforms, projects) within the Youth Employment Initiative. This applies to supporting the first regularly paid job, mentored employment, self-employment and graduate work experience with the possibility of subsequent employment. The measures also include support intended for education and individualised guidance with the emphasis on the disadvantaged groups of young people.

28. Since 2014, the implementation of a system of guarantees for young people has been ensured, investments in young people continue by means of the European Social Fund, and initiatives to harmonise education with the labour market's needs and to facilitate the transition from school to work have been developed (OP Human Resources).

29. With the emphasis on the group of graduates not older than 26, a graduate work experience contribution was applied within the active measures of the labour market (hereinafter the "AMLM") under the Law on Employment Services (§ 51). In the scope of applied AMLM, separate national projects for supporting the inclusion of young

unemployed people were implemented, i.e. "Successful in the Labour Market", "Graduate Work Experience Starts Employment" and "Work Experience Leading to Employment".

30. Measures for solving long-term unemployment were focused on the giving of a second chance for education, the implementation of pilot projects for the long-term unemployed, multi-professional intensive support for the long-term unemployed and the performance of activities financed from the OP Employment and Social Inclusion in the programming period 2007-2013 and then OP Human Resources in the programming period 2014-2020.

31. During the assessment period to support the inclusion of long-term unemployed jobseekers in the field of AMLM, the following contributions were used: a contribution to support the employment of a disadvantaged jobseeker; a contribution to support the development of local and regional employment and a contribution for active activity in the form of smaller communal services for communities or in the form of smaller services for a self-governing region. In addition to these measures, separate national projects for supporting the inclusion of the long-term unemployed in the labour market were implemented, namely: "Chance to Work", "We Want to be Active on the Labour Market" (50+), "Way Out of the Circle of Unemployment", "We Are Looking for Work Together" and "Engaging the Unemployed in the Restoration of Cultural Heritage", that significantly contributed to solve long-term unemployment.

32. On 1 July 2014, activation centres were established for supporting the maintenance of work habits of long-term unemployed jobseekers who are simultaneously recipients of material-need benefits. On 1 November 2013, a levy relief for the long-term unemployed was implemented, which was expanded on 15 December 2015 to the employment of persons from the least developed districts.

33. In 2016, an Action Plan for the Strengthening of the Integration of the Long-Term Unemployed on the Labour Market was developed. It describes specific measures, which the MLSAF SR, in cooperation with all stakeholders, plans to provide especially in the two years following its adoption (November 2016) to improve the access of long-term unemployed people to the labour market. Its implementation in the SR provides the implementation of the EU Council Recommendation of 15 February 2016 on the integration of long-term unemployed into the labour market.

34. On 12 March 2015 Law 61/2015 was adopted on Vocational Education and Training and the amendment of certain laws. This law creates the legal prerequisites for the active involvement of employers in vocational education and training and represents a significant step towards reducing the unemployment of young people in the SR.

Employment

35. The employment rate of citizens in productive age (15-64 years of age) increased to 64.9% from 2012-2016. The employment rate of young people (15-24 years of age) increased for the same period to 25.2% and the employment rate of older persons (50-64 years of age) increased to 59.5%.

Unemployment

36. The overall situation of the development of unemployment has been gradually improving after 2012. According to the data of the Statistical Office of the SR (hereinafter the "SO SR") from a labour force sample survey, unemployment rate in the SR in 2016 compared to 2012 was lower by 4.3 percentage points (hereinafter the "p.p."), or it had decreased to 9.7%. The absolute number of the unemployed had decreased by almost 30%. In 2016, 301,000 jobseekers were registered on average. On the year-on-year basis, their number had decreased by 54,000 persons, i.e. by 15.1%. The registered unemployment rate showed a downward trend and reached 9.48%, which is a year-on-year decrease by 2 p.p.

37. The situation in the field of long-term unemployment has been improving as well. While in 2012, according to the data of the SO SR, the average share of the long-term registered unemployed (unemployed for more than 12 months) in the total number of the unemployed accounted for 63.8%, in 2015 the share accounted for 62.3% and in 2016 it

had decreased to 56.6%. Interregional differences in the level of unemployment rate have also been decreasing gradually. In 2012, the difference between the highest and the lowest unemployment rate between counties accounted for 14.1 p.p., in 2016 the difference had decreased to 9.9 p.p.

38. Positive tendencies were also recorded in the development of the unemployment rate of women compared to the level in 2012. While in 2012, according to the data of the SO SR, the Labour Force Sample Survey (hereinafter the "LFSS"), the unemployment rate of women accounted for 14.5%, in 2016 it was 10.7%.

39. The unemployment rate of young people decreased significantly. While in 2012, according to the data of the SO SR, the unemployment rate of young people accounted for 34.0%, in 2015 it was 26.4% and in 2016 it was 22.2%.

Article 7

Minimum wage

40. The representatives of employers and employees (social partners) negotiate the adjustment of the amount of minimum wage for the next year under Law 663/2007 on Minimum Wage. The favourable development of macro-economic indicators accelerated the rate of the increase of the minimum wage. With regard to strong economic growth in 2016, the government of the SR decided on the increase of the amount of the minimum wage for 2015 from €405.00 to €435.00 monthly, i.e. by 7.41%.

41. The more significant growth of the amount of the minimum wage in the last three years made it possible in 2015 to implement a levy deductible item into the health insurance system in the amount of €380.00 on a monthly basis with a progressive decrease up to the amount of the employee's income of €570.00. This measure of the government of the SR, effective from 1 January 2015, means that neither the employer not the employee pays health contributions from income up to €380.00. Taking into account the year-on-year growth of the amount of the minimum wage by €28.00 monthly, which was a 7.95% increase, the net wage of employees with the wage at the level of the amount of the minimum wage increased by as much as 11.24%?

The wage and working conditions of women

42. Constitutional Law 460/1992, (hereinafter the "Constitution of the SR"), in Article 12, Paragraph 2, guarantees fundamental rights and freedoms for all regardless of sex, race, colour, language, belief and religion, political or other opinion, national or social origin, nationality or membership of an ethnic group, property, gender or other status. The employer's obligation to treat employees in compliance with a principle of equal treatment is stipulated by Law 365/2004 on Equal Treatment in Certain Areas and on Protection Against Discrimination, (hereinafter the "Anti-discrimination Law") which, under the provision of § 2, Section 1, prohibits discrimination on the grounds of sex. The prohibition does not allow discrimination of women in regard to men, not even the possibility to acquire equal opportunity for all persons or to achieve a higher job position within the employment. The principle of equal treatment in employment is provided for in detail in § 6 of the Anti-Discrimination Law.

43. The principle of equal treatment is also reflected in law 311/2001, the Labour Code (hereinafter the "LC"), which, in Article 6 of Fundamental Principles stipulates that women and men have the right to equal treatment as to the access to employment, remuneration and promotion, vocational training and working conditions. The LC prohibits the discrimination of employees on the grounds of sex, marital status and family status, sexual orientation, race, colour, language, age, poor health or disability, genetic characteristics, belief, religion, political or other opinion, trade-union activity, national or social origin, nationality or membership of an ethnic group.

44. According to the data of the SO SR on the development of gender gap in the SR, this trend has been gradually decreasing. The overall gender wage gap between the average monthly wage of a woman and a man in 2005 accounted for 28.4%, in 2011 it accounted

for 24.2% and in 2015 it decreased further to 22.4% (the average monthly wage of women was €867.00, the average monthly wage of men was €1,117.00).

45. The analyses of the data acquired from a sample represented by more than one million employees from 8,170 reporting agents (more than 50% of all employees in the SR) showed an unequivocal and dominant impact of the high segregation of jobs on the overall gender wage gap. The segregation index of 57.56% means that in order to ensure a balanced distribution of men and women in jobs 57.56% of all employees would have to change their jobs.

Safe and healthy working conditions

46. Fair and satisfactory working conditions represent an important field of social policy. They are provided for in compliance with the EU law and the conventions of ILO. Legislation related to the working conditions is ensured by a large body of legislation in order to ensure safety and health at work, amended several times.

47. The area of health and safety at work in the SR is also addressed by fulfilling the aims, objectives and instruments of the Strategy for Health and Safety at Work in the SR up to 2020 and its implementation programme for the years 2013 to 2015 with a view towards 2020, approved by the Slovak Government on 10 July 2013 as well as the updated Strategy for Health and Safety at Work in the SR for the years 2016 to 2020 and the programme for its implementation approved by the Government of the SR on 12 October 2016. These strategies contain a structured set of tasks, the implementation of which supports employers' activities ensuring the constitutional rights of employees to protection of their safety and health at work.

Equal opportunities in employment

48. In compliance with a contractual principle contained in the LC, the agreed type of work for which an employee is hired, including a short description, is one of the four fundamental requirements of an employment contract between the employer and the employee. Further information is stated in point 16 of the appendix.

Rest, leisure

49. Legislation stated in points 103-120 of the second report of the SR applies. Further information is stated in points 17-18 of the appendix.

50. Information about reasonable limitation of working hours, regular paid leave and remuneration for public holidays is stated in points 19-21 of the appendix.

Article 8

The right to form trade unions

51. The Constitution of the SR guarantees, in Article 37, Paragraphs 1 and 2, the right of each person to freely associate with others in order to protect his economic, social and cultural rights. The legislation of unionisation compared to the second report of the SR (points 121-123, 125-127) has remained unchanged and further information is provided in point 22 of the appendix.

52. The SR is a contracting party of an ILO Convention 87 and an ILO Convention 98.

Collective bargaining, the right to strike

53. The Constitution of the SR in Article 37, Paragraph 4, and the Chart of Fundamental Rights and Freedoms (Constitutional Law 23/1991) in Article 27, Paragraph 4 provide for the right to strike as one of the social rights of citizens. Law 2/1991 on Collective Bargaining provides for basic issues related to the right to strike and the right to collective bargaining.

54. Support for parity consultations between employees and employers is provided for in the LC. These are mainly issues related to working conditions and employment conditions, business transfers, and collective redundancies.

55. Under Article 54 of the Constitution of the SR, the right to strike of persons whose professions are absolutely necessary for the protection of life and health is limited by the provision of § 20 of the Law on Collective Bargaining. Strike legislation compared to the second report of the SR has not changed (points 128-129).

Article 9

Social insurance

56. The Constitution of the SR, in Article 39, Paragraph 1 guarantees to all citizens of the SR one of the basic social rights, namely the right to adequate material security in old age and during periods of work incapacity, as well as in the case of the loss of household provider. This is a right to social security that the state is obligated to implement. The social right is implemented primarily by means of social insurance performed by the Social Insurance Company as a public institution. Further information and is stated in points 23-25 of the appendix.

57. Fundamental changes in social insurance were made between 2011 and 2014. The approach of exhaustively listing persons to whom the social insurance applies was abandoned. Social insurance is connected to the income from employment or income from business that is taxed according to tax regulations.

58. As stated in the second report of the SR (art. 9), the current social insurance consists of five separate insurance systems:

- Sickness insurance;
- Pension insurance, broken down to
- Old-age insurance;
- Disability insurance;
- Accident insurance;
- Guarantee insurance;
- Unemployment insurance.

59. Mandatory sickness and pension insurance applies to the following persons:

(a) An employee with the right to regular monthly income,

(b) A self-employed person (SEP), whose income exceeds 12-times the minimum assessment base (minimum wage),

(c) State insurees are also in compulsory pension insurance (particularly a parent who is looking after a child under the age of 6, a child with a long-term ill health from 6 to 18 years of age, carers who receive a cash allowance for the care of a disabled citizen and personal assistants who under a contract of personal assistance perform personal assistance for a person with severe disabilities for at least 140 hours per month).

Sickness insurance

60. Law 461/2003 on Social Insurance, (hereinafter the "Law on Social Insurance") defines sickness insurance as insurance against the loss or reduction of income due to temporary incapacity to work, pregnancy and maternity. It is an insurance of short-term consequences of social events in the form of cash benefits. Further information is stated in points 26-28 of the appendix.

Pension insurance

61. The pension insurance system is based on a three-pillar model. As to the old-age pension saving system, the automatic inclusion of the first-time insurees into the 2nd pillar was implemented in 2012, with possibility to exit the 2nd pillar during the first 730 days. However, this was valid only by the end of the year. Since 2013, a principle of voluntary participation in the 2nd pillar was implemented for the persons who were entitled to the first participation in the pension insurance at least once (1st pillar). These persons can decide to join the 2nd pillar until they reach 35 years of age.

62. On 1 September 2012, the rate of compulsory contributions to the old-age pension saving was decreased from the original 9% to 4% from the assessment base. Since 2017, this rate will be increased each year by 0.25% so that it will account for 6.0% in 2024. With the effect from 2013, the possibility to pay voluntary contributions to old-age pension saving, the amount of which is not limited, was implemented. A reduced rate of taxation up to 2% of the tax base (partial tax base) was applied to these contributions, while this reduced rate of taxation was valid until the end of 2016.

63. In 2012, within the old-age pension saving system, a possibility for pension fund management companies to create the so-called index pension funds was implemented. The fixed number of four pension funds was abolished in 2013. According to new legislation, the pension fund management companies manage one bond guaranteed pension fund and one stock non-guaranteed pension fund. Also, the monitored period of the performance of the bond guaranteed funds has been extended to 10 years. There have been several modifications of remuneration since 2012.

64. A significant change consisted in the comprehensive modification of a payment phase from the old-age pension saving system, which entered into force on 1 January 2015. The condition of the minimum period of the old-age pension saving of 10 years was cancelled and a new form of the pension payment was implemented — a temporary pension. A draft bill also brought a solution of the situation of savers whose amount of pension savings is not sufficient to buy pension for life (pensions in the regime of the so-called small saved sum were implemented). Contractual relation between the pension provider and the saver has been introduced. In order to intermediate the offers and selection of a pension from the old-age pension saving system, the Social Insurance Company has established and manages a central information offer system by means of which the savers will get all their offers in one place at the same time, which has resulted in the reduction of the saver's administrative burden and the transparency of the intermediation of pension offers.

65. Since 2012, the 2nd pillar was temporarily opened twice for people to joint it or leave it, from 1 September 2012 until 31 January 2013 and subsequently from 15 March 2015 until 15 June 2015. The number of savers as of 31 December 2016 accounted for 1,375,770 people.

66. As to the supplementary pension saving system, the reduced rate of taxation related to the supplementary pension saving on the part of participant was cancelled in 2011. In 2014, the reduced rate of taxation on the part of participant was reintroduced into the system, while the participant can reduce his tax base by paid contributions up to €180.00 annually. Contributions to the supplementary pension saving paid by employers for their employees-participants are subject to the reduced rate of taxation up to 6% of the wage of these employees.

67. Since 2014, several changes have been made in the supplementary pension saving system in order to fulfil the original purpose of this system and to make it more attractive for the participants. Within the measures adopted, the age from which the supplementary old-age pension is paid has been increased, in principle it is 62 years, while the condition of the minimum period of saving of 10 years has been cancelled.

68. Conditions for the payment of the supplementary years-of-service pension (the extension of the period of the performance of risky work from five to ten years, the increase of age from which this pension is paid from 40 to 55 years) have been changed together with the purpose of the supplementary years-of-service pension (earlier retirement than the legal retirement). Severance payment was left out and a possibility of early withdrawal for

the participant has been introduced. Benefit plans were cancelled, while the benefits of the supplementary pension saving are governed by the law only.

69. The possibility to save in several contributory supplementary pension funds simultaneously has been introduced; the right of selection of a supplementary pension company has been transferred from the employer to the participant. Each participant and recipient of benefit acquires passive electronic access to his personal account and an institute of "key information", which has replaced the unsuitable information brochure, has been introduced.

70. Also, the costs of the system have been reduced by means of the overall reduction of remuneration for supplementary pension companies. In the field of investments and risk management, management companies were given possibility to increase their activity, investments in new class of assets were allowed and a strong internal control system was introduced (risk management system). Further information is stated in points 29-34 of the appendix.

Accident insurance

71. Accident insurance is an employer's insurance against cases of damage to health or death due to industrial accident or occupational disease. Further information is stated in points 35-36 of the appendix.

Guarantee insurance

72. Guarantee insurance represents insurance against the employer's insolvency in satisfying the employee's claims, the payment of remuneration and expenses of the temporary administrator of the bankruptcy assets and the payment of compulsory old-age pension contributions not paid by the employer to the basic fund of contributions to the old-age pension saving. Compulsory guarantee insurance applies to the employer of an employee in employment relation and the member of a cooperative employed by the cooperative. Compulsory guarantee insurance does not apply to an employer who is a representative office of a foreign state and an employer who cannot be declared bankrupt.

73. An employee has the right to guarantee insurance benefit from the employer's guarantee insurance, except for an employee who is a statutory representative or a member of statutory body who has at least a 50% share in the employer's assets, after the conditions stipulated by the Law on Social Insurance are met.

Unemployment insurance

74. Unemployment insurance represents insurance against the loss of income from the employee's work due to unemployment and serves to provide income in unemployment. The insuree (a compulsory insured unemployed person — employee or a voluntarily insured unemployed person) is entitled to unemployment benefit after meeting all the conditions related to the granting of the benefit. An employee who has compulsory sickness insurance is a person whom the compulsory unemployment insurance relates to.

Article 10

Family protection

75. The basic objective of the social policy of the SR is the adoption and implementation of measures that will ensure the maintenance and development of human, economic, social and cultural rights in the interest of decent living conditions for all. Respect for human rights and principle of equal treatment is one of the essential pillars of social protection. Multiple measures are focused on family protection, either in the field of instruments supporting employment, lower taxes for selected groups, emergency benefit, instruments supporting social inclusion (community centres, field social work), instruments supporting the reconciliation of family and work life (higher maternity benefit, higher child benefit).

76. State support for families is provided primarily by means of the system of state social benefits representing a set of financial benefits by which the state participates in addressing multiple life situations, especially in relation to families with dependent children. When providing state support to families with children, the family income is not taken into account, with the exception of substitute child maintenance. Benefits provided to the families with children within the state social support system are financed exclusively from the state budget. The granting of individual benefits is legislatively provided for by separate acts stipulating the terms and conditions for the entitlement to individual benefits, their amount, the method and procedure of payment, including provisions focused on minimising the possibility of ineffective use of the funds by authorised persons. Each act adapts the terms and conditions to a specific family benefit, while it stipulates the terms and conditions equally for each applicant without possibility to apply any exception.

77. The following allowances are intended for families: child birth allowance, allowance for multiple simultaneously born children, parental allowance, child benefit, supplementary child benefit, childcare allowance, allowances to support substitute care for a child, substitute child maintenance and funeral allowance.

78. As to supporting the families with small children, increasing the amount of childcare benefit is also important. With effect from 1 January 2016, the maximum amount of childcare benefit increased from €230.00 to €280.00. The parents' administrative burden was also reduced in relation to the childcare benefit by eliminating the monthly obligation to demonstrate to the payer the parent's actual expenses for the care provided to his child.

79. Within the development of services related to the care of children up to three years of age at the community level, the MLSAF SR prepared, in 2016, an amendment to the Law on Social Services also focused on social services for supporting the families with children, while the amended Law entered into effect on 1 March 2017 by means of Law 40/2017 Within social security rights, legal conditions were created for the access to, assertion and staying on the labour market for a parent of a child up to three years of age or up to six years of age, if it is a child with impaired health. Within the social service system, a single framework was created for the activity of childcare facilities for children up to three years of age and the activity of childminders providing services supporting the reconciliation of family and working life with related quality and supervision over the childcare on the part of relevant authorities.

80. More detailed information on the protection of children's rights are included in the third, the forth and the fifth report of the SR on the implementation of the UN Convention on the Right of the Child.[7]

Protection of mothers

81. Special protection of mothers during the period before the birth and after the birth of a child is provided for in special legislation on working conditions for pregnant women, mothers until the ninth month of the childbirth and breast-feeding women. The LC guarantees the woman maternity leave and parental leave together with protection during pregnancy (prohibition of dismissal, the right to excusal for antenatal examinations, the right to be transferred to another job, etc.) and parental leave for the man from childbirth. Legislation has not changed since the second report of the SR (points 210-217).

Employment of children and adolescents

82. Legislation has not changed since the second report of the SR (points 218-229). The LC and also special regulations (SR Government Regulation) define a group of jobs that are prohibited to adolescents (for instance night work, underground mining work, work with a higher possibility of injury, etc.). Protection is also provided in the areas of working time (shorter), breaks during working time (in relation to a shorter period of work); rest (prohibition of exceptions).

[7] CRC/C/SVK/3-5.

Article 11

Right to an adequate standard of living

83. The state provides social protection to citizens (individuals, families and its members) who have found themselves in need, with insufficient or no income due to various causes. The social protection system is primarily based on the instruments of aid in material need.

84. With effect from 1 January 2014, emergency benefit is governed by Law 417/2013 on Emergency Benefit, based on a constitutional guarantee of basic living conditions, further stated in point 37 of the appendix.

85. With effect from 1 January 2015, the introduction of the possibility of the concurrence of emergency benefit, income from employment and special contribution resulted in redefinition of the terms and conditions for entitlement to the special contribution. The measure focuses on the motivation of long-term unemployed and long-term non-active persons in the emergency benefit system to enter the labour market or to return to the labour market.

86. Under Law 544/2010 on Subsidies under the Authority of the MLSAF SR, subsidies are granted to support upbringing related to the fulfilment of the school duties of a child threatened by social exclusion and subsidies to support upbringing related to the nutrition of a child threatened by social exclusion. It is a support measure focused on increasing the motivation of children from low-income families to observe compulsory school attendance. Under the current legislation, these two subsidies will be granted to children attending kindergartens and elementary schools, coming from families that are granted emergency benefit or from families the income of which does not exceed the subsistence minimum. If, at least 50% of children in the kindergarten or the elementary school come from such families, the above subsidies are granted to all children.

87. Under the above acts it is also possible to grant subsidies to support humanitarian aid as a possibility to help a citizen in a crisis life situation or in an extraordinarily unfavourable social situation.

88. The Fund for European Aid to the Most Deprived is another support instrument focused on the elimination of social exclusion for the programming period 2014-2020. In the interest of the implementation of the fund the SR prepared a Food and Basic Material Assistance Operational Programme, which was approved by the EC in December 2014. The overall allocation for the SR for the period represents €64,838,286.00 including co-financing. This amount accounts for €8 million annually. In practice, the programme will be implemented by means of four measures, i.e. providing food and sanitation packages to the selected groups of recipients of emergency benefit, providing hot meals to homeless persons and also in the form of supporting the distribution of donated food.

89. Law 448/2008 on Social Services, provides for legal relations and conditions for the provision of social services, financing thereof and supervision over the provision of the services. Threat to a natural person in the form of social exclusion or the limitation of its ability to integrate itself socially and to solve its problems independently is considered an unfavourable social situation under specific conditions detailed in point 38 of the appendix. National priorities and action plans in the field of Social Services are provided in points 39-40 of the appendix.

90. Law 447/2008 on Cash Benefits to Compensate Severe Disability entered into effect on 1 January 2009. The objective of the act is to maintain, renew or develop the abilities of natural persons and their families to lead independent lives, to create conditions and support for the integration of natural persons and their families into society, based on their active participation in this process, and to overcome or mitigate the social consequences of severe disability. Cash benefits for compensation represent voluntary benefits — entitlement to the cash benefit arises on the basis of a valid decision of a competent authority. The provision of cash benefits to compensate social consequences of severe disability is, under the Law on Cash Benefits for Compensation, financed from the state budget. Simultaneously, during proceedings on cash benefits for compensation, it is necessary to ascertain the income and

property of natural person with severe disability and also the income and property of persons assessed together with this natural person.

91. In January 2014, the SR government approved a "National Program for the Development of Living Conditions of Persons with Disabilities for the Years 2014-2020", developed in accordance with the UN Convention on the Rights of Persons with Disabilities. On 14 December 2016, the SR government approved the first summary report on the fulfilment of tasks arising from the National Programme, which document the fulfilment of tasks from 2014 until 2015.

92. In the field of the protection of rights of minors and the minors' interests protected by the law, some amendments were incorporated, from 2012 until 2016, into the wording of Law 305/2005 on Social-Legal Protection of Children and Social Guardianship and on Amendments and Supplements to Certain Law, in order to further improve the taking of measures in the field of the protection of children and social guardianship.

93. The most significant changes include the expansion of the range of measures to limit and eliminate negative effects that threaten the psychological, physical and social development of the child. The act includes child care measures, including the procedure of the imposition thereof if they do not fulfil their purpose: the performance of foster care and guardianship, including the identification of the child's opinion of a matter concerning it. It also defines the system of substitute family care, the taking of measures in the facilities of social-legal protection of children and social guardianship (children's homes, crisis centres, and social reintegration centres for drug and other addictions). New powers of the employees of the bodies of social-legal protection of children and social guardianship were specified in more detail in the field of the review of the care of minors and verification whether there is a threat to their psychological, physical or social development. Within the system of social-legal protection of children and social guardianship, the principle of primacy of the family environment of the child is applied to the situation of a minor child.

94. Law 219/2014 on Social Work and the Conditions for the Exercise of Certain Professional Activities in the Field of Social Affairs and Family and on Amendments and Supplements to Certain Laws provides for the exercise of social work and certain professional activities in the field of social affairs and family.

95. Law 176/2015 on the Commissioner for Children and the Commissioner for Persons with Disabilities and on Amendments and Supplements to Certain Laws entered into effect on 1 September 2015 establishing two independent institutions. The essence of the activity consists in a specialised public protection of rights recognised in the UN conventions. The act also deals with the issue of the acceptance of a commissioner by representative organisations by means of their opinion of the commissioner before he is elected. On 2 December 2015, the National Council (Parliament) of the SR elected two commissioners: Viera Tomanová as a commissioner for children and Zuzana Stavrovská as a commissioner for persons with disabilities.

Article 12

The right to physical and mental health

96. The following facts can be stated beyond the framework of the second report of the SR (points 257-291).

The improvement of external living conditions

97. Increasing the share of the population supplied with safe and quality drinking water from public water systems is a priority in the supply of the population with healthy drinking water. 88.7% of the population of Slovakia (a 2.2% increase compared to 2007) was supplied with drinking water from public water systems in 2016. Regional differences, however, still persist. While in Bratislava region 97.8% of the population is supplied with drinking water from public water systems (a 1.3% increase compared to 2007), in Prešov region it is only 80.6% of the population (a 2.8% increase compared to 2007).

Disease prevention

98. The SR is among the European Union countries with the highest vaccination coverage. The nationwide results of the vaccination coverage within regular compulsory vaccination of children have exceeded 95%. During the monitored period no incidents of measles, rubella, diphtheria, poliomyelitis and tetanus were reported. In 2012, the Pandemic Commission of the SR Government approved an updated Detailed Plan of Measures for the Incidents of Influenza Pandemic in the SR.

Alcohol abuse

99. The main aim of the National Action Plan for Alcohol Problems for the Years 2013-2020 is to increase health awareness in relation to supporting the responsible, civilised and controlled use of alcohol, with regard to its harmful effects on health. The second important objective relates to controlling the sale of alcoholic beverages, checking the age of the customer, controlling the use of alcohol in workplaces and transport. Further information is stated in points 41-43 of the appendix followed by the information about transplantation programme in points 44-46 of the appendix.

Article 13

School system development

100. The Ministry of Education, Science, Research and Sport of the SR (hereinafter the "MESRS SR") has been dealing for a long time and responsibly with the equal access of the members of all nationalities, ethnic groups and disadvantaged groups of the population living in the territory of the SR to education, which increases the rate of their social inclusion.

101. The implementation of inclusive education in the schools of regional education systems is legislatively provided for by Law 245/2008 on Education and Training (the Education Law), which entered into effect on 1 September 2008 and which prohibits any forms of discrimination, particularly segregation, and guarantees. Subjects of these rights are detailed in point 47 of the appendix.

102. In connection with the inclusive education primarily focused on marginalised Roma communities (hereinafter the "MRC"), three national projects were implemented from Operational Programme Education within the programming period from 2007 until 2013. Details about these projects are included in points 48-50 of the appendix.

Article 15

Right to cultural life and scientific progress

103. Since 2012, the Ministry of Culture of the SR (hereinafter the "MC SR") has been creating a space for a better availability of culture by means of a free-of-charge access to cultural institutions on each first Sunday of the month. The Slovak National Gallery, the Slovak National Museum, the Museum of the Slovak National Uprising and the Slovak Technical Museum making available 37 cultural objects in this way. The Slovak National Gallery was available free-of-charge to all target groups from 2014 until 2016.

104. Chapter seven of the 11th and the 12th report of the SR to the Convention on the Elimination of All Forms of Racial Discrimination contains in more detailed measures implemented in the field of culture for the prevention and protection against racial discrimination in the field of culture of national minorities.

105. In the Slovak National Museum, there are specialised documentation departments focused on the history and culture of national minorities living in Slovakia. For more detailed information, see point 51 of the appendix.

106. The Slovak Art Council, as a public institution supporting cultural activities, culture and creative industry, was established by Law 284/2014. Its main mission is to support

"live" arts and culture of non-governmental entities. The council provides funds for the creation, dissemination and presentation of artworks, support for international cooperation, educational programmes in the field of art, culture and creative industry, and scholarship for natural persons who participate in the development of art and culture in a creative or scientific manner.

The culture of disadvantaged groups

107. The subsidy scheme Culture of Disadvantaged Groups, which makes it possible to fulfil and develop cultural needs of persons with disabilities and other disadvantaged groups of the population, is an effective and long-term financial instrument focused on the implementation of the task of the MC SR. €377,775.00 was allocated within the subsidy programme Culture of Disadvantaged Groups in 2016. In 2017, €980,000.00 was allocated to support the culture of disadvantaged groups within this programme. Further information is stated in point 52 of appendix.

Churches and religious communities

108. At the last population and housing census in 2011, 75.5% of the population declared affiliation with churches and religious communities registered in the SR. Churches and religious communities play an important role in Slovak social and cultural life. According to the surveys of trustworthiness, they are among the institutions with stable and lasting high credibility.

109. The legislative framework of the SR includes a wide concept of legal regulations governing the general relations between the state and the church, in points 53-55 of the appendix.

The media

110. The adoption of Law 532/2010 on the Radio and Television of Slovakia, which entered into effect on 1 January 2011, resulted in the merger of the Slovak Television and the Slovak Radio into one public institution — the Radio and Television of Slovakia (hereinafter the "RTVS"). Under the act, the RTVS is a public, national, independent, information, cultural and educational institution the mission of which is to provide the public with services in the field of radio broadcast and television broadcast. The main activities of the RTVS include, among other things, taking account of the needs of the deaf and other social minorities within the broadcast.

111. Duties related to multi-modal access are provided for in several legal regulations in relation to broadcasters, providers of audiovisual media services at request and other entities. These and other legal regulations providing for the exemption from paying a payment for public services, the rights and duties of persons performing their activity in the audiovisual field, the activity of the Slovak Film Institution focused on the exercise of the rights of person with hearing or visual disability, and the provision of funds to support audiovisual culture and industry in connection with the multi-modal access are listed and defined in points 56-72 of the appendix. The definition of copyright legislation is stated in points 73-77 of the appendix.

On concluding recommendations of the committee for the SR of 8 June 2012

On recommendation C 6

112. Awareness about the covenant among judges and prosecutors has been increasing continuously during events organised in the premises of the Justice Academy according to the relevant approved academic plan of education for the given calendar year.

113. The Ministry of Justice of the SR (hereinafter the "MJ SR") found out that some addressed regional courts or district courts in their jurisdiction (RC in Trenčín, RC in Košice) also record decisions in relation to which the judges directly applied the covenant. The chairs of most regional courts (RC in Žilina, RC in Nitra and RC in Trnava) as well as

of the Supreme Court of the SR confirmed that the judges had been acquainted with the covenant and they know its content, however, in the monitored period the regional courts in Žilina, Nitra and Trnava and the Supreme Court of the SR did not issue any decisions in which the provisions of the pact were directly applied or quoted.

On recommendation C 7

114. The amendment to the Law 575/2001 on the Structure of Activities of the Government and Central State Administration Authorities, (hereinafter the "Competency Law") resulted on 1 September 2015 in the shift of competences in the field of the development and implementation of state policy and the coordination and fulfilment of tasks in the field of human rights from the MFEA SR to the MJ SR.

115. According to the National Strategy for the Protection and Promotion of Human Rights in the SR (adopted by the government on 18 February 2015), the Slovak National Centre for Human Rights (hereinafter the "Centre") fulfils not only the tasks of Equality Body under the relevant guidelines of the EU, but also the tasks of a national human right institution (NHRI) according to the requirements of the UN and the so-called Paris Principles. Under SR Government Resolution 71/2015, the MJ SR is to prepare, in a participative and professional manner, comprehensive legislation for the Centre and to submit it to the meeting of the government of the SR. In order to fulfil this task, the MJ SR formed, in 2016, a working group that participated in the preparation of a draft amending law on the establishment of the Centre. Both the representatives of the state administration and the representatives of non-governmental sector actively participated in the works of the working group of the MJ SR. A discussion on the issue resulted in a requirement that changes in the legislation of human rights institutions should become a part of a wider concept of the institutional protection and promotion of human rights in the SR. This new concept should react to the development in society, legislation and the establishment of various authorities and institutions established since the establishment of the Centre (i.e. from 1993). Therefore, the MJ SR adopted the conclusions of the working group, namely to prepare an overview of the tasks and status of institutions for the protection and promotion of human rights and based on the overview to consider legislative changes. In connection with these conclusions, the deadline for the fulfilment of this task was shifted to the end of 2017.

On recommendation C 8

116. Following the amendment of the Competency Law in 2012, the MLSAF SR has become the central body of the state administration for gender equality and equality of opportunities and for the coordination of the state policy in this field. As to the organisational structure, a Gender Equality and Equality of Opportunities Department reports directly to the minister of labour, social affairs and family of the SR. Priorities in the field of equality of men and women include the following tasks: to make it possible for labour inspectorates to better inspect compliance with the principle of equal pay and to develop a relevant methodology (within a National Programme (hereinafter the "NP") Prevention and Elimination of Gender Discrimination); to support the implementation of objective criteria for the evaluation of work and the resulting transparently set personal evaluations and other variable components of salary (within the NP Prevention and Elimination of Gender Discrimination); to support gender audits in workplaces at least in the public sphere; to support legal awareness of women and to exercise the rights — the LC — in practice; to develop systemic instruments for the motivation of employers in the implementation of flexible forms of work in order to better reconcile family and work life (e.g. a call for a NP Family and Work — further information provided in point 13 of the appendix); to support research in the field of the quantification of unpaid work, as well as projects and solutions in the field of remunerating educational and nursing care of family members, including a possibility of an adequate evaluation of family nurses (within the NP Prevention and Elimination of Gender Discrimination). A so-called Equal Pay Day is evaluated and promoted by means of the media every year.

117. In order to ensure the fulfilment of tasks in the field of the status and rights of the members of national minorities, the government of the SR set up, on 13 June 2012, a

function of a plenipotentiary of the SR for national minorities (hereinafter the "Plenipotentiary"). The Plenipotentiary has the status of an advisory body of the government of the SR with fairly broad competences. His main tasks include the monitoring, analysis and evaluation of the respecting of the rights of the members of national minorities by the state administration authorities, local authorities and other relevant entities, within which it submits to the government of the SR an annual Report on the Status and Rights of the Members of National Minorities. Within his area of competence, the Plenipotentiary also fulfils a function of an administrator within the subsidy system of the Government Office of the SR in the field of the allocation of funds for the protection and promotion of the preservation and development of the identity and culture of national minorities.

118. The Plenipotentiary chairs the Committee for National Minorities and Ethnic Groups (hereinafter the "Committee for National Minorities") as a permanent professional body of a Government Council for Human Rights, National Minorities and Gender Equality as to the issues related to national minorities and ethnic groups and their members and the implementation of the European Charter for Regional or Minority Languages and the Framework Convention for the Protection of National Minorities. This participative mechanism ensures the participation of members of national minorities in addressing issues that relate to them. This committee deals with the legislative and non-legislative measures of the government of the SR or state authorities, local authorities and other entities in relation to the rights of the members of national minorities. The committee submits to the Government Council for Human Rights, National Minorities and Gender Equality three evaluation reports every year: An Evaluation Report on the Use of the Languages of National Minorities, an Evaluation Report on the Promotion of the Cultures of National Minorities and an Evaluation Report on the State of Minority Education.

On recommendation C 9

119. The Office of the Plenipotentiary of the Government of the SR for Roma Communities (hereinafter the "OPGRC") is in charge of the Roma community agenda. It also prepares strategic documents and legislation related to the issue of Roma integration. The Plenipotentiary of the Government for Roma Communities reports directly to the government of the SR. Based on his activities, within the SR Presidency in the EU Council, member states adopted on 8 December 2016 the conclusions of the EU Council on the acceleration of the process of Roma integration, which comprehensively establish calls for all member states and the commission to accelerate the Roma integration.

120. Strategy of the SR for Roma Integration until 2020 is a basic document, which has the ambition to comprehensively improve the living conditions of the citizens of the MRC. In relation to the issue of the permanent improvement of the situation in Roma community, the strategy emphasises the need to implement the state's measures in the field of education, employment, health care and housing simultaneously, since improvement in only one field does not have to mean improvement in other fields of the life of this group.

121. For the purposes of social inclusion of Roma citizens, the funds of the European Social Fund (hereinafter the "ESF") are also used by means of the Operational Programme Human Resources (hereinafter the "OP HR"). There are three axes of the OP HR, both explicitly (PA 5 Integration of Marginalised Roma Communities and PA 6 Technical Equipment in Municipalities with the Presence of Roma Communities) and implicitly (PA 4 Social Inclusion) focused on Roma inclusion. Individual national projects and their objectives are listed and described in points 78-80 of the appendix.

122. The principle of non-discrimination on the labour market in the SR is thoroughly implemented in the preparation of legislative standards. The inclusion of the MRCs, which are most at risk of social exclusion due to long-term unemployment, is implemented by means of the Strategy of the SR for Roma Integration until 2020, from 2011 until 2015 with integration continuity with action plans (revised) of the 2005-2015 Decade of the Inclusion of Roma Population. The updated Strategy of the SR for Roma Integration until 2020, in the section Employment, defines a new global objective and partial objectives that react to the current development in the field of the employment of MRCs.

123. The Ministry of Transport and Construction of the SR (hereinafter the "MTC SR"), in terms of its competences, enters the field of supporting the MRC integration also by means of housing policy measures. The direction and objectives of the housing policy have been set since 1994, in approximately 5-year cycles, in a framework document of the state called "State Housing Policy Concept".

124. The "State Housing Policy Concept up to 2020" is the currently valid document in this field, which was approved by the government of the SR on 7 January 2015. The concept also deals with the issue of the housing of disadvantaged groups. The state's primary objective is to ensure suitable conditions for all citizens so that they can procure adequate housing depending on their possibilities.

125. The State Housing Policy Concept until 2020 defines measures for the period of the next five years, the implementation of which should positively influence the availability of adequate housing for the citizens of the SR. These measures include the need for a legislative amendment of housing allowance, or the implementation of a system of multi-level transitional housing, which would take into account the social situation of households and which would create preconditions for the gradual increasing of housing standards.

126. The MLSAF SR or the OPGRC intervenes in the field of the improvement of access to housing through its measures.

127. Public health authorities, in compliance with Law 355/2007 on the Protection, Support and Development of Public Health, focus on the protection, support and development of health of all citizens of the SR. Measures and initiatives in the field of public health are aimed at each and every citizen of the SR. Any form of discrimination is excluded.

128. There are no differences in the monitoring of the health condition of Roma population and other citizens. Ethnicity as a statistical indicator is not used. It is not allowed by Personal Data Protection Law that prohibits the processing of personal data that disclose ethnic origin. Simultaneously, it is not possible to state ethnicity in relation to the National Health Information Centre, or other public health authorities (report on communicable diseases) or medical records and therefore it is impossible to evaluate the health of the population based on this indicator. The status of public health is monitored in the case of the incident of selected infectious diseases and the application of anti-epidemic measures. In the case of an infectious disease incident, the information on the low hygienic standard of a person with such disease is also monitored — patients from Roma settlements are included in this group. The health status of Roma population was evaluated only within targeted projects or programmes.

129. The main objective of a Healthy Communities project in 2016 was to support the access to health care and public health, including preventive health care and health education and to reduce the difference between the health status of the Roma and the majority population.

130. In 2016, a Healthy Communities non-profit organisation employed 234 health education assistants and 23 coordinators of the health education assistants. These employees were operating in 239 locations. In the field, there is a cooperation network of health care providers consisting of 750 doctors. The number of clients for the first half of 2016 was 48,068. Further information is stated in point 81 of appendix.

131. The public health authorities rendered assistance services within the "Healthy Communities" project, in order to intervene in several fields (for instance in the field of health education, improvement of hygiene standards, etc.). They contacted pupils from socially disadvantaged background (hereinafter the "SDB") and children from the MRCs in the area of healthy way of life and environmental hygiene (first aid, dental hygiene, injury prevention, healthy diet, care of human body, harmfulness of drugs, smoking, alcohol, and prevention of parasitic diseases). They ensured the inspection of selected infectious diseases in relation to persons living in the environment of low hygienic standards.

132. Regional public health authorities have been cooperating for a long time with schools with the highest concentration of pupils from the SDB. Pupils are repeatedly subject to intervention in the areas such as healthy way of life and environmental hygiene,

dental hygiene, first aid and injury prevention, education about responsible marriage and parenthood, healthy diet, care of human body, harmfulness of substance and non-substance abuse, smoking, alcohol, prevention of parasitic infections and infectious diseases, maturation and physical and mental changes.

On recommendations C 9 and C 26

133. The MESRS SR has been working for a long time on a legislation in the field of segregation and discrimination in order to achieve such an application of the Education Law that would not allow the exchange of special educational needs based on health handicap with special educational needs arising only from the SDB. The reason is that the development of a child in the SDB does not automatically mean a health handicap, which is decisive for the inclusion of a child or a pupil into a special school or special class. That means the improvement of situation in the education of pupils from the SDB, a significant part of which consists of children from the MRCs.

134. On 30 June 2015, the National Council of the SR approved an amendment to the Education Law in order to improve the situation in the education of pupils from the SDB, the significant number of whom are children from the MRCs.

135. The Education Law, in § 107, stipulated that a child or a pupil whose special educational needs arise only from his development in the SDB could not be admitted to a special school or a special class of a kindergarten, a special class of a special school or a special class of a secondary school. In practice it means that the SDB cannot be the reason for being admitted to the special school. The inclusion of pupils from the SDB into classes with other children and pupils is explicitly stipulated. This measure definitely prevents segregation. The legislation also applies to the activity of a specialised class — this class is intended for pupils who did not master education in the given year to "catch up" on their missing knowledge. Pupils are included in this class based on a class teacher's proposal, after a guidance counsellor's opinion and with a parent's (legal representative's) consent for not more than one year.

136. The changes apply to the provision of an allowance for pupils from the SDB. In 2016, the amount of the allowance per 1 pupil from the SDB was €109.00. Since 1 September 2016, the allowance was given to pupils from the SDB who are included in a "regular classroom". More detailed data for 2016 are available on the website of the MESRS SR.[8] In 2017, the allowance per pupil from the SDB is €260.00. In 794 schools, 21,718 pupils from the SDB in the total amount of €5,646,680.00. All detailed data for individual years are available on the website of the MESRS SR.[9]

137. The granting of the allowance was arranged so that it would fulfil the purpose of supporting an elementary school taking into account the educational needs of the pupil, i.e. requirements for ensuring conditions, consent, forms, methods and access to education, the implementation of which is necessary to develop abilities or personality of the pupil and to achieve adequate education and adequate inclusion into society (§ 2 (i) of the Education Law).

138. The allowance is to be used to improve educational process and pedagogical-psychological influence on the pupil in terms of his educational needs to balance the disadvantage reflected in his development and not in terms of poverty.

139. Since 1 September 2016, the allowance has been given only to pupils from the SDB who have an opinion of a centre of educational and psychological counselling and prevention and who are included in the "regular classroom" of an elementary school. The allowance will not be given to the pupils of:

- Special elementary schools;
- Special classes of elementary schools; and

[8] http://www.minedu.sk/data/att/10774.zip.

[9] http://www.minedu.sk/socialne-znevyhodnene-prostredie-prispevok/.

- Individually included pupils due to health handicap and general intellectual talent in the elementary schools.

140. Amendment to the Education Law has made the state's control mechanism over school facilities of educational counselling and prevention stricter, and it has also made it possible for relevant entities to re-value diagnostic procedures and proposals for the inclusion of a child or a pupil into a specific form of education. The State School Inspection (hereinafter the "SSI") can consider, for instance, incorrect diagnostics a serious shortcoming in the activity of a special educational facility or a school facility of educational counselling and prevention.

141. In the school year 2014/2015, the SSI, at the initiative of the MESRS SR, started to deal with the conditions of inclusive education in schools in more detail. The SSI, in cooperation with non-governmental organisations, has set criteria in relation to segregation in schools. The SSI report on the state and level of education in schools and school facilities in the SR in the school year 2014/2015 contains spatial segregation in 3 cases. The SSI imposed measures for the elimination of identified shortcomings on head teachers and it sent the information on the findings to the Centre and Consultancy for Civil and Human Rights.

142. In order to ensure inclusive education for pupils from the SDB, an inspection was conducted in 57 elementary schools, of which 53 were state schools and 4 church schools. In the inspected entities, there were 12,794 pupils, of which 1,808 pupils were from the SDB. Criteria, based on which the status of the creation of conditions for inclusive education was evaluated, consisted in the development of school educational programmes, the definition of educational objectives and strategies and the development of curricula of schools considering the specific needs of education of pupils from the SDB. No unauthorised inclusion of pupils into special classes of elementary schools for disabled persons was identified.

143. An alarming finding was that pupils from the SDB within the inspected entities in the second half of the school year 2013/2014 had 21,800 unauthorised absences and 8,762 absences in the first half of the school year 2014/2015. The reason for their absenteeism consisted in bad financial situation of families, low motivation of pupils to study, indifferent approach of parents to the fulfilment of duties related to the regular school attendance of children or to their homework. Teachers were dealing with absenteeism together with the relevant state administration authorities and municipality. Effective measures for the improvement of pupils' attendance also included regular monitoring of attendance, home visits of teaching assistants to families and individual discussions with pupils and legal representatives. The above information is available on the website of the SSI.[10]

144. In the inspected entities the SSI found out that in 31 elementary schools it was not possible to assess the creation of conditions for inclusive education due to the high share of pupils from marginalised Roma communities (70% to 100%). Further, in three elementary schools the education of pupils was conducted in two shifts due to insufficient space for classic classrooms, there was no gymnasium in 10 entities and there was no school canteen in 3 schools.

145. In a Report on the State of Creating Preconditions for Ensuring Inclusive Education for Pupils from the SDB in Elementary Schools in the School Year 2015/2016 in the SR, the SSI states that in connection with the inspection of creating preconditions for ensuring inclusive education for pupils from the SDB and the MRC it also found serious breaches of general binding legal and internal regulations, which had a negative impact on the quality of education of pupils (spatial exclusion of pupils from the MRC by creating classes attended only by pupils from the MRC, separate eating places for pupils from the MRC; pupils without diagnosed handicap were included in the first year of a specialised class for pupils with mild degree of mental disability; no school educational programmes were developed for pupils with a moderate degree of mental disability; teaching expertise was

[10] http://www.ssiba.sk/admin/fckeditor/editor/userfiles/file/Dokumenty/velka_sprava/sprava_14_15.pdf

not ensured in the specialised class; the maximum number of pupils in the specialised class was exceeded; not prepared by the Institute of Educational Policy).

146. The SSI imposed on the head masters of the inspected entities a duty to take measures in relation to the identified shortcomings in order to eliminate them. Further, it implemented 20 recommendations that were also focused on ensuring preconditions for inclusive education of pupils from the SDB and the MRC in schools.

147. The creation of preconditions for ensuring inclusive education in the school year 2015/2016 was monitored in 21 elementary schools. The schools were attended by 186 pupils from the SDB and 685 pupils from the MRC, the education of whom required the application of specific educational methods. There were 143 pupils from the MRC and 82 pupils from the SDB in special classes for pupils with mental disability. An allowance for improving conditions for education was given to schools for 433 pupils from the MRC. Basic educational documents were developed in schools according to the principles and objectives of education stipulated by the Education Law, but the implementation of them did not always lead to the creation of preconditions for inclusive education, the acceptance of needs of all pupils, including pupils with special educational needs, from the SDB and the MRC.

148. Educational programmes for pupils with mental disability were not thoroughly developed in some schools. Pupils with mild mental retardation were mainly taught in special classes and were not included in regular classes of mainstream education. Two schools had classes with Roma pupils only and in another school the organisation of separate eating of Roma pupils was conducted contrary to the principles of education stipulated by the Education Law. Education in the regular classes of the 1st and the 2nd level was conducted by teachers who met qualification preconditions and special qualification preconditions for teaching activity. Teaching expertise was not always thoroughly ensured in special classes. With regard to education at the 1st level, teachers had assistants who could not speak the native language of pupils from the MRC.

149. A project of a day-long educational care was implemented only in three from the inspected schools. Roma pupils were not interested in afternoon activity in a school children's club (SCC). Their attention was attracted by extra-curricular activities in interest groups.

150. Cooperation with legal representatives seemed to be less than efficient from the teachers' point of view. Parents were not interested in educational results of their children. They did not thoroughly ensure their school attendance. Cooperation possibilities offered by schools remained basically unanswered on the part of the legal representatives of the pupils. Cooperation between teachers and advisory services, municipalities and community centres were relatively more effective. Educational process was conducted in an open working atmosphere, without indications of discrimination behaviour, under suitable spatial conditions of classes with good material-technical equipment. The selection of forms and methods of teaching predominantly respected the age specificities of pupils, their abilities and possibilities, but also limitations arising from the background in which they lived or from their health handicap. A stronger application of specific methods and forms of work in special classes and in classes for Roma pupils only was absent.

On recommendation C 10

151. At present, the SR legislation, which also includes international treaties on human rights and fundamental freedoms ratified by the SR, prohibits discrimination on any grounds, including discrimination based on sexual orientation.

152. A Committee for the Rights of Lesbian, Gay, Bisexual, Transgender and Intersex Persons was formed under a SR Government Resolution 516 of 3 October 2012.

153. On 4 June 2014, the parliament approved an amendment to the Constitution of the SR, based on which, with the effect from 1 September 2014, "marriage is a unique bond between a man and a woman" (art. 41, para. 1).

154. In July and August 2014, the MFEA SR organised a series of the meetings of experts on a National Strategy for Human Rights Protection and Promotion.

155. In September 2014, more than 400,000 people signed a petition to declare a national referendum against the marriages of persons of the same sex and against registered partnerships of persons of the same sex and also against sexual education in schools. The referendum was held in February 2015 with the participation of only 20% of persons entitled to participate in the referendum. With regard to the fact that a constitutionally required 50% participation was not achieved, the referendum was invalid or unsuccessful.

156. The current plan of legislative tasks of the MJ SR does not include legislation related to the legal status of homosexual couples.

157. Amendment to the Penal Code in 2015 provided for a special motive that relates to all crimes motivated by hatred toward any social group. Under § 140 (d) and (f), the special motive means the commitment of a crime in order to publicly incite violence and hatred toward a group of persons or individuals due to their membership of race, nation, nationality, colour, ethnic group, gender origin or for their religion if it is a pretext for threats based on the previous reasons, and simultaneously the commitment of a crime of national, ethnic or racial hatred, hatred based on skin colour or hatred based on sexual orientation.

On recommendation C 11

158. The issue of gender equality was institutionally strengthened in 2014 by means of the approval of fundamental strategic documents: The National Strategy for Gender Equality and an Action Plan for Gender Equality for the Years 2014-2019 (more detailed information is included in Article 3 of the report).

On recommendation C 12
Measures for reducing big regional differences

159. The SR was intensively addressing the creation of new jobs in districts with the highest unemployment rate in order to reduce social and regional differences. In this context, a Law 336/2015 on Supporting the Least Developed Districts was adopted. The Central Office of Labour, Social Affairs and Family keeps and publishes a list of the least developed districts in its headquarters. The list includes districts, the unemployment rate of which was for at least nine calendar quarters during previous twelve consecutive calendar quarters higher than 1.6 times the average rate of registered unemployment in the SR for the same period. Beneficiaries of the support in the least developed districts are municipalities located in the least developed district and other entities of local cooperation in compliance with an Action Plan for the Development of the Least Developed District.

160. In December 2015, under the above act, a list of the 12 least developed districts was prepared, which are in the Prešov, Banská Bystrica and Košice regions. The districts are as follows — Lučenec, Poltár, Revúca, Rimavská Sobota, Veľký Krtíš, Kežmarok, Sabinov, Svidník, Vranov nad Topľou, Rožňava, Sobrance and Trebišov. Subsequently, action plans were developed for them by a team of experts from several sectors in cooperation with regional partners, representatives of cities and municipalities of selected districts, self-governing regions and offices of labour, social affairs and family.

161. Regional action plans also include the "Road to the Labour Market" national project, which is being prepared and which will be used to perform the following activities: supporting the creation of jobs for jobseekers, supporting the creation of jobs for disadvantaged jobseekers in social enterprises of work integration established under an Law on Unemployment Services, supporting the creation of jobs on the part of public employers, supporting self-employment in primary agricultural production, providing a financial contribution to promote mobility and providing individualised services of jobseekers.

On recommendation C 13

162. On 27 February 2017, the SR adopted a new action plan for employment of a Strategy of the SR for Roma Integration until 2020, and the growth of employment will also be influenced by national projects implemented by the Office of the Plenipotentiary of the Government of the SR for Roma Communities, especially an NP Field Social Work and an NP Community Centres.

163. Legislation related to the employment, similar relation or self-employment of asylum seekers is defined in the provision of § 23, Section 6 of Law 480/2002 on Asylum, (hereinafter the "Asylum Law"). Also in a new monitored period of the third implementation report, only such legislative steps were taken which result in the fact that the wording of the provision of § 23, Section 6 of the Asylum Law is still in compliance with relevant European legislation and recommendation of the committee. Amendments to the Asylum Law have shortened the period from which an asylum seeker can obtain a work permit (from one year to nine months of the start of the proceedings) and exceptions when such permit cannot be granted to the asylum seeker were partially modified.

164. Under § 23, Section 6, of the Asylum Law, the asylum seeker cannot enter into employment relationship or similar relationship or he cannot start his own business; the asylum seeker, however, is entitled to enter into employment relationship after nine months of the start of the proceedings except when the bringing of administrative proceedings against the decision of the ministry issued within asylum procedure has no suspensory effect and an administrative court did not decide on the granting of the suspensory effect, or if the court of appeal did not decide on the granting of the suspensory effect of an appeal against the decision of the administrative court that related to administrative action against the decision of the ministry issued within asylum procedure.

165. The Migration Office of the Ministry of Interior of the SR (hereinafter the "MI SR") does not consider the concern of the committee related to asylum seekers applying for the work permit justified since the current legislation is fully in compliance with European legislation, i.e. with Council Directive 2003/9/ES laying down minimum standards for the reception of asylum seekers. Under the current legislation, under the provision of § 23, Section 6 of Law 480/2002 on Asylum and on Amendments and Supplements to Certain Law, the asylum seeker cannot enter into employment relationship or similar relationship or he cannot start his own business, however, the asylum seeker is entitled to enter into employment relationship after nine months of the start of proceedings, with the exception if:

(a) The bringing of administrative proceedings against the decision of the ministry issued within asylum procedure has no suspensory effect and the administrative court did not decide on the granting of the suspensory effect, or

(b) The court of appeal did not decide on the granting of the suspensory effect of cassation complaint against the decision of the administrative court that related to the administrative proceedings against the decision of the ministry issued within asylum procedure.

166. The overall process of recognition of professional qualifications is defined in European Union legislation (Directive 2005/36/EC). The main objective of Law 422/2015 on the Recognition of Documents from Education and on the Recognition of Professional Qualifications was the transposition of Directive 2013/55/EU. The deadlines for recognition of the achievement of education, mutual recognition of professional qualifications are determined at European level and govern the EU Member States, EEC and Switzerland. The deadline for issuing a decision on the recognition of professional qualifications is set by European Parliament and Council Directive 2005/36/EC, as within three months, with the possibility of extending by a maximum of one month. Under Law 422/2015 there is a deadline of two months for a decision on the recognition of an educational document in the SR and for issuing a decision on the recognition of a professional qualification it is one month of receipt of the complete application. A list of the current regulated professions in the SR is published on the web site of the MESRS SR in the section on the recognition of documents on education and professional qualifications. In the case of unregulated professions, for blue card applications decisions from a higher education institution in the SR which carry out a study program for the same or related study branch, as indicated by the education document submitted by the applicant for a Blue Card are acceptable. The processing time is set according to Law 422/2015 as two months from the submission of the complete application. Law 422/2015 also introduced a mechanism for assessing and

verifying the education or professional qualifications of an applicant with international protection who cannot provide evidence of education, in the form of an examination.[11]

167. Several employers, such as enterprises (US Steel) or local governments (Spišský Hrhov) paid higher attention to the employment of ethnic Roma compared to the previous period. Certain ethnic diversity in workplaces was also created through the implementation of the above national projects by means of which the members of ethnic Roma were employed. With regard to job selection procedure within national projects Field Social Work in Municipalities and Supporting Selected Social Services, a favouring criterion is applied: the knowledge of the language of the target group (Roma, Hungarian, etc.).

168. Several measures were taken in the field of employment of citizens with disabilities. Under the Law on Employment Services, the employer who employs at least 20 employees is obligated to employ citizens with disabilities in the number of 3.2% of the total number of employees, the quota ("compulsory share"). The employer can adhere to the compulsory share by directly employing citizens with disabilities who are in the employment, service or civil service relationship toward the employer, or by making use of a substitute measure in the form of placing an order suitable for employing citizens with disability or in the form of placing an order to a citizen with disability who is self-employed or in the form of a levy for non-compliance with the compulsory share or in the form of mutual combination of the above options. Offices of labour, social affairs and family thoroughly monitor compliance with the compulsory share under the Law on Employment Services (§ 13, Section 2).

169. Targeted measures focused on the improvement of the status of citizens with disability on the labour market were reflected in the positive development of the economic activity rate, employment rate and unemployment rate of citizens with disability.

170. The development of the economic activity rate, employment rate and unemployment rate of citizens with disability in the SR —

Table 1
Source: SO SR, (annual average in %)

Indicator	*2013*	*2014*	*2015*
Economic activity rate	17.6	21.4	20.1
Employment rate	14.0	17.2	16.6
Unemployment rate	20.1	19.6	17.4

On recommendation C 14:

171. In 2007, within the amendment to the LC, an important § 119 (a) was added, which stipulates the same wage for the same work and for the work of the same value for women and men. Despite suitable legislation, it is necessary to state that significant differences in the remuneration of women and men still persist in Slovakia. Recently, the gender pay gap has been slowly decreasing and currently it accounts for about 18%. The average hourly wage of women makes up only 82% of the average wage of men. In the EU member states, the average has long ranged from 16% to 17%. The good news is that the gender pay gap in Slovakia has been gradually decreasing as shown in the table below:

Table 2
The development of GPG in hourly and monthly wage for the years 2005-2015, in % and relevant chart

Source: Trexima

Year	*GPG month*	*GPG hour*
2005	27.66	26.66
2006	26.10	23.74
2007	25.03	22.85

[11] http://www.minedu.sk/profesijne-uznavanie-dokladov-o-vzdelani-a-odbornych-kvalifikacii/.

Year	*GPG month*	*GPG hour*
2008	23.13	21.09
2009	24.41	21.70
2010	23.42	20.65
2011	22.74	20.17
2012	23.00	20.37
2013	20.82	17.90
2014	23.02	18.73
2015	22.33	17.80
2016	21.93	18.03

172. The gender pay gap based on a gross monthly wage in 2016 accounted for 22% to the detriment of women; the difference in the median in the same period was 18%. Traditionally, the gap is higher in the business sphere where in 2016 it accounted for 22.4% (median 18.9%), while in non-business sphere the gap was lower (10.8%) and the median reached a negative value for the first time, i.e. according to the median women made more money (-0.38%). Inequalities are strongly reflected in responsibility for household and family — women spend disproportionately more time in unpaid (but also in paid) work focused on taking care of children, family members and household. Studies show that marriage of women is negatively reflected in wages. While married men earn on average by 4.5% more than their single colleagues, married women earn by 3.7% less than single women.

173. In the SR, there is a strong gender dimension of the influence of parenthood on the employment of women and men, the presence of children younger than 6 years in the family, where the female employment rate is significantly decreased, but the employment of men is increased. The employment rate of women from 25-49 years of age with a child younger than 6 years is lower than 40%. However, the employment rate of men in the same age category and in the same phase of parenthood is higher than 83%. The employment rate of women of 20-49 years of age with a child is lower by more than 30 p.p. compared to women without children. For men the opposite is true — the employment of fathers is higher by approximately 12 p.p. compared to men without children. The wage "scissors" between men and women are opening more and more after the birth of each child. The impact of parenthood is significantly different with regard to women and men in the SR. Such a "parenthood effect" is reflected almost in all EU countries, it is, however, extremely strong in the SR and the suppression of this effect represents a long-term process. Further information about the involvement of fathers in childcare fathers is stated in point 82 of the appendix and information about reconciling work and family life is stated in point 14 of the appendix.

174. The female employment rate increased over the last 5 years just as the male employment rate, which is still higher by 14 p.p.

Table 3

The employment rate of women and men 2010-2016 in productive age (15-46 years) in %

Source: SO SR, LFSS

Year	*2010*	*2011*	*2012*	*2013*	*2014*	*2015*	*2016*
Women	52.3	52.5	52.7	53.3	54.3	55.9	58.3
Men	65.2	66.1	66.7	66.4	67.7	69.5	71.4

175. In terms of education, women in the SR are better educated. However, it is not reflected in the level of wages. The highest gender pay gap relates to men and women with university education, mainly in business sphere, where the wage of women is lower by one quarter. Investment in education — human capital is better for men than women. Work performed by women is usually considered work of lower value, which is reflected in the

amount of wages in dominantly feminised sectors. So, the very good educational level of women does not lead to the balancing of wages or it leads only to a little reduction of this gap.

176. The right to inspect compliance with employment regulations, including wage regulations and obligations arising from collective agreement on the part of the representatives of employers is stipulated in § 239 of the LC.

177. An employee who is harmed by the breach of duties on the part of the employer, which arise from employment relationship, can, under § 150 of the LC, submit a complaint to the relevant labour inspection authority. The labour inspectorate territorially competent according to the employer's registered office also inspects compliance with the provisions of the LC on the equal working conditions for men and women, including equal pay for men and women.

178. Under § 14 of the LC, disputes between the employee and the employer about claims arising from employment relationships are discussed and decided by independent courts.

On recommendation C 15

179. More detailed information is included in Article 7 (a) — Minimum Wage.

On recommendation C 16

180. Anti-discrimination Law entered into effect on 1 July 2004. According to the data collected by the MJ SR, 3 disputes were settled in 2014 and 9 disputes were settled in 2015 in relation to the right to equal treatment and protection against discrimination; of which compensation to the victims of discrimination was awarded in 2 cases in the form of a non-material sum in cash. That information results from court statistics of the MJ SR and depends on the correct identification of proceedings in a statistical document of the competent court.

181. The government of the SR has adopted a 2014-2019 National Action Plan for the Prevention and Elimination of Violence Against Women, which defined the following tasks:

- Implement a public information campaign on the issue of sexual harassment of women in workplaces and other forms of violence in the public in a way that would eliminate the persisting gender insensitive myths in this field;
- Promoting legal awareness by means of seminars and other educational activities related to the issue of violence within employment relationships;
- Prepare information-guidance materials for employers and employees on the equality of men and women and sexual harassment in workplace and possibilities of help for the victims;
- Monitor the cases of sexual harassment and bullying of women and ensure a regular supervision over equal treatment of employees;
- Ensure the training of labour inspectors in the field of compliance with the Anti-Discrimination Law, including sexual harassment.

182. The objective is to adopt any necessary legislative and other measures to prevent, investigate, punish and compensate the acts of violence against women in workplaces. The Anti-Discrimination Law defines the terms harassment and sexual harassment which represent a breach of the principle of equal treatment.

On recommendation C 18

183. In recent years the SR has intensified the combat against violence against women and domestic violence. Amendments to several acts have been adopted. The government of the SR has adopted several strategic documents.

184. According to the existing legislation of the SR, domestic violence is unlawful conduct which, in terms of seriousness, fulfils the conditions for a criminal offence (offence

or crime); in less serious cases it fulfils the conditions for a misdemeanour. Under criminal law the term "offence" means a type of the crime. Offence is defined in § 10, Section 1 of the Criminal Code as a crime committed with negligence or an intentional crime for which this act, in a special part, provides for imprisonment with a maximum term not exceeding five years.

185. In 2011, the Criminal Code incorporated the act of "Stalking" in § 360 (a) of the Criminal Code, which penalises the "stalking", i.e. a long-term pursuit in a way that can give rise to a reasonable doubt for life or health of the pursued person, or life and health of his/her related person or in a way that significantly impairs the quality of life.

186. Sexual violence is defined as a specific crime under § 200 of the Criminal Code. The crime of rape is defined as a specific crime under § 199 of the Criminal Code, while this paragraph also includes rape within marriage.

187. The amendment to the act on compensation of victims of violent crimes, which entered into effect on 1 July 2013, is also important. Under the act, the victims of rape, sexual violence and sexual abuse are entitled to compensation also for non-material damage suffered.

188. The protection of the victims of violence is also defined in § 27 (a) of Law 171/1993 on Police Force, with possibility to evict the violent person from the dwelling. The institute of evicting a person from a shared dwelling is a preventive measure the purpose of which is to provide the exposed person with the immediate protection of their life and health in the early phases of violence, which is also connected with the lower risk of completing the act or with the prevention of continuation of the violent behaviour of the perpetrator. A police officer can evict a person in relation to which it is possible, on the basis of identified acts, to expect an attack on life, health, freedom or a serious attack on human dignity of the exposed person, from an apartment or a family house or from other place occupied with the exposed person or also from its immediate environment, especially with regard to previous such attacks; an entry ban imposed on the person evicted from the shared dwelling is also a part of the eviction.

189. On 1 January 2016, the entry ban for the person evicted from the shared dwelling was extended from 48 hours to as many as 10 days. The person evicted from the shared dwelling is also obligated not to approach the exposed person at a distance shorter than 10 metres. From 1 January 2016 it applies that if an act of domestic violence committed by the same person is classified as a misdemeanour (for which a fine is imposed) and the same perpetrator commits the same or similar act of domestic violence within the next 12 months, this act will be investigated as a crime under § 208 of the Criminal Code.

190. In terms of providing the exposed person with an effective protection, the time factor plays an important role, i.e. creating sufficient time space to find professional assistance. The victims of domestic violence are provided with a specific access and assistance of experts, while organisations that provide persons threatened by domestic violence and their children with specialised social, legal and psychological consultancy and other services, play an indispensable role.

191. An amendment to the Criminal Code, which entered into effect on 1 January 2016, amended the definition of the crime of torturing a close or an entrusted person under § 208 of the Criminal Code, by leaving out the word "torturing", the proving of which during criminal proceedings created application ambiguity and disunity within the procedure of law enforcement authorities. In order to define a crime, it is enough to prove the infliction of physical suffering or psychological suffering by one of the actions stated in § 208, Section 1 (a) to (e) of the Criminal Code. Simultaneously, the criminality of abusing a close person or an entrusted person in relation to relapse into offence was introduced, i.e. if the perpetrator was sentenced for a similar act during the previous twelve months (§ 208, Section 2 of the Criminal Code).

192. An amendment to a Law on Misdemeanours, which entered into effect on 1 January 2016, resulted in distinguishing the commitment of a misdemeanour against a close person and an entrusted person from other facts within the misdemeanour "against civil coexistence". The legislative change is connected with the introduction of the criminality of

the relapse into offence in relation to domestic violence (§ 208, Section 2 of the Criminal Code).

193. There is no legal definition of the term domestic violence in the SR. It is possible to use the term domestic violence pursuant to the Council of Europe Convention on Preventing Violence against Women and Domestic Violence according to which domestic violence means any acts of physical, sexual, psychological and economic violence in a family or in a domestic unit or between the former or the current spouses or partners, regardless of whether the perpetrator has or had in the past a shared habitual residence with the victim.

194. The SR signed the Council of Europe Convention on Preventing Violence against Women and Domestic Violence (hereinafter the "Istanbul Convention") on 11 May 2011. At present, the possibilities of ratifying the convention are being analysed.

195. National Action Plan for the Prevention and Elimination of Violence against Women for the Years 2014-2019 defines the systemic solution of institutional support for victims of violence against women and domestic violence. The Committee for Gender Equality of the Government Council of the SR for Human Rights, National Minorities and Gender Equality annually monitors and continuously evaluates the plan. The Expert Group on the Prevention and Elimination of Violence against Women and Families at the Government Council of the SR for Crime Prevention, in cooperation with a Department of Gender Equality and Equal Opportunities of the MLSAF SR, also participates in the implementation and monitoring of the action plan. Implementation areas of the action plan include: strengthening the legal and strategic framework, providing assistance and available support services, methodology and standards, training the helping professions, primary prevention, monitoring and research and violence against women in workplace. The action plan also defines 63 specific tasks, together with responsible authority, source of financing, and indicators and deadlines of performance.

196. The project of the establishment of a Coordination-Methodical Centre for Violence against Women and Domestic Violence (hereinafter the "CMC") in compliance with Article 10 of the Istanbul Convention remains one of the key projects in this field. Within the project, a media campaign aimed at raising sensitivity and reducing tolerance of the public for sexual violence in young people's intimate relationships was launched in April 2017. A toll-free 24-hour hotline was launched in order to provide effective support to women who experience violence and look for help. The data for detailed statistics, which remains anonymous, are collected in order to monitor the effectiveness of the hotline. On average, there are 600 calls a month to the hotline and 350 long-term clients. In addition, the General Prosecutor's Office of the SR established a toll-free hotline for abused persons and an e-mail address to which criminal complaints can be sent. The Prosecutor's Offices forwards the complaints to the competent police unit. Further information about the project is in point 83 of the appendix.

197. The total financial allocation for activities related to combating violence against women and domestic violence for the period from 2013 until 2015 accounted for €12 million. A significant contribution in this field was granted by the Norwegian Financial Mechanism in the amount of €7 million. Most of the funds from the Norwegian Financial Mechanism were allocated to support services — consultancy centres, homes for victims of violence against women and domestic violence.

198. Two national projects supported from the OP Employment and Social Inclusion in the programming period 2007-2013 — Prevention and Elimination of Violence against Women (PPEN1) and Support for the Elimination and Prevention of Violence against Women (PPEN2) were launched in 2014 and finished in 2015. These projects were focused mainly on institutional support for victims, especially to support the existing homes, to establish new ones and to ensure their availability in all self-governing regions in the SR. Support from the Norwegian Financial Mechanism contributed to the creation of 26 new family places in safe houses at the end of 2015. The total number of family places in the SR at the end of 2016 accounted for 179, while the availability of them is ensured in all self-governing regions. Further information is stated in points 84-89 of the appendix.

On recommendation C 19

199. Based on the strengthening of identification of cases associated with human trafficking and the increase of qualification of the members of the Police Force dealing with the detection and investigation of crimes, the issue of human trafficking was, on 1 July 2013, included in the structure of the National Unit for Combating Illegal Migration of the Border and Alien Police of Police Force Presidium (hereinafter the "BAP"). Within the BAP, a Department for Combating Human Trafficking was formed, while specialised departments with investigators qualified for this type of crimes deal with the investigation of the crime of human trafficking. All suspicions of the committal of this crime are thoroughly reviewed by the members of the Police Force and if the crime of human trafficking is proved then such suspicions are investigated. Since many cases of human trafficking, the victims of which are citizens of the SR, are detected and investigated abroad, because these victims are exploited abroad, it is more effective to conduct criminal proceedings in the country of exploitation. The police actively participate in the investigation of these cases.

200. In order to ensure a multi-disciplinary approach to the identification of the victims of human trafficking from among migrants, the Police Force has been conducting, since 2012 in cooperation with the National Labour Inspectorate, joint inspections of business entities under an Agreement on the Implementation of Joint Inspections of Business Entities. The inspections are focused on detecting the cases of illegal employment, illegal stay of third country nationals and the victims of human trafficking.

201. The BAP police officers, within the profiling during border control, try to identify possible victims of human trafficking, to identify perpetrators who have committed crimes of human trafficking and to identify vulnerable persons who need international protection from among possible victims of human trafficking.

202. The Migration Office of the MI of the SR, within asylum procedure, carefully examines whether asylum seeker is a vulnerable person. Amendment to the Asylum Law in 2015 defined vulnerable persons as minors, persons with disabilities, elderly persons, pregnant women, single parents with minors, victims of human trafficking, persons with serious illness, persons with mental disorders and person who have been subjected to torture, rape or other serious forms of psychological violence, physical violence or sexual violence. If, based on the individual assessment of the state of vulnerable persons, the MI SR identifies special needs of these persons, it will take them into account when creating suitable conditions for accommodation and when taking care about these persons. Suitable conditions also mean the adoption of measures to avoid attacks and violence, as well as the provision of protection to the victims of human trafficking.

203. Since the beginning of 2016, the more effective collection of data on potential and identified victims of human trafficking — the citizens of the SR abroad — has been ensured in cooperation with the MFEA SR by means of the information provided from embassies of the SR abroad. This is particularly the information on the citizens of the SR who were included in the national reference mechanism of a destination country, the citizens of the SR in relation to whom there is a suspicion of a human trafficking crime, and also annual statistical data on the citizens of the SR in relation to whom the staff decided that they had become or could become victims of human trafficking. The Information Centre for Combating Human Trafficking and Crime Prevention of the MI SR (hereinafter the "IC MI SR") is, as the administrator of the Program for Supporting and Protecting the Victims of Human Trafficking, informed on potential and identified victims of human trafficking included in individual national reference mechanisms abroad and in cooperation with the service providers of the programme an assisted voluntary return to the SR is intermediated for these victims. 38 employees of the ministry participated in training courses in 2016. The objective of the training was to inform the participants on the issue of human trafficking, primarily on the specific procedures related to the provision of assistance to the victims of human trafficking in cooperation with the IC MI SR and the IOM.

204. The fulfilment of recommendations within education, cooperation and preventive measure was ensured in 2012-2016 and results are included in points 90-124 of the appendix.

On recommendation C 20

205. The MLSAF SR does not agree with the opinion that "a significant part of the population still lives under the poverty line", since it is not based on official data. The poverty line is calculated from the data of statistical survey of income and living conditions of the EU SILC (EU Statistics on Income and Living Conditions) based on the income classification of all households. There is no specific monitoring of poverty or risk-of-poverty rate, i.e. the share of the population below the poverty line in relation to specific groups, namely marginalised groups of the population, but in relation to the whole population. Measures that are defined and taken by the government in order to decrease the risk of poverty, i.e. the income level of the population, are based on the civic principle for all groups of the population. Approaches to the reduction of the risk of poverty are of a multi-dimensional nature and are implemented by a wide spectrum of measures, namely providing direct financial transfers to increase income, reduce expenses and direct measures of active inclusion, which support access to employment, education and participation in social life.

206. The National Framework Strategy for Supporting Social Security and the Fight against Poverty, adopted in 2015, is an important framework document covering individual measures, national strategies, concepts and action plans focused on supporting social inclusion and the fight against poverty. The creation of the national framework strategy provides a better overview of national politics focused on social inclusion, with a greater emphasis put on active inclusion, monitoring and evaluation of these policies in connection with the objective of the Europe 2020 strategy, i.e. to reduce the risk of poverty or social exclusion.

207. In May 2012, the SR submitted to the UN Committee on the Rights of Persons with Disabilities a first comprehensive report on measures adopted in order to fulfil obligations arising from this convention. A SR Government Resolution of 20 February 2013 appointed the MLSAF SR as a main contact point for the issue of the implementation of this convention. In April 2016, the UN Committee on the Rights of Persons with Disabilities assessed the initial report of the SR on the UN convention. The adopted final conclusions were subsequently incorporated into the National Development Program of Living Conditions of Persons with Disabilities for the Years 2014-2020, which, by means of defined tasks and measures, is to ensure progress in the field of the protection of the rights of persons with disabilities recognised by the convention.

On recommendation C 21

208. Public health authorities, within their specialised tasks, routinely monitor the quality of consumer's drinking water from public water systems. In addition, they purposefully perform state health supervision over public drinking water supply and also monitor the quality of water in hygienically important individual water systems and public wells, such as the wells in Roma settlements — especially in eastern Slovakia. In Roma settlements, there still are great shortcomings in the protection and quality of water resources (bad construction-technical condition, insufficient protection) which are largely caused by their inhabitants. The challenge for the SR is to introduce measures to protect the technical sustainability of the facilities during their use by members of the MRC. Public health authorities perform public education in Roma settlements, within which they try to explain to the inhabitants the health effects of contaminated water on the human body and the importance of basic hygienic habits in order to prevent the spread of communicable diseases. Another activity of health protection authorities is, on the occasion of the World Water Day, to perform the annual, free-of charge analysis of drinking water samples from individual water resources within selected medically important indicators, to provide consultancy on the issue of drinking water, individual water resources, the hygiene of wells and the care about water resources, in relation to all citizens of the SR, including marginalised and rural population.

209. In order to support the access to water, ensuring sufficient quantity of quality drinking water, sanitation and many other issues associated with water, in 2011 the SR ratified the Protocol on Water and Health to a Convention on the Protection and Use of Transboundary Watercourses and International Lakes of 1992, the administrated by the Ministry of Health (hereinafter the "MH SR"). In 2014, new national objectives of the Protocol on Water and Health were defined, where the OPGRC showed interest in cooperation in order to achieve the national objectives of the Protocol focused on the supply of drinking water and sanitation for selected Roma communities in segregated and separated Roma settlements. The solution of this issue depends on the successful focusing of development interventions and funds.

On recommendation C 22

210. In accordance with the objective to increase the availability of housing, a system of economic instruments supporting housing development has been developed. The instruments are classified by the social situation of applicants for housing.

211. In terms of the improvement of the housing conditions of the MRC, it is support for the acquisition of rental apartments intended for social housing financed by means of the combination of subsidies from the MTC SR and a soft loan from the State Building Fund.

212. The MTC SR provides subsidies for the procurement of rental apartments and related technical equipment under Law 443/2010 on Subsidies for Housing Development and Social Housing. Subsidies for the procurement of rental apartments are mainly provided to municipalities and cities. Rental apartments can be of two standards, i.e. common and standard, which is also called a lower standard. It should be noted that the lower standard does not mean a lower quality of housing. It is rather the selection of several elements in the basic regime so that this housing is significantly more available to certain groups of population compared to the apartments of usual standard. Therefore, a subsidy in the amount of 85% of the acquisition costs is provided for this type of construction.

213. The state budget annually allocates funds for the provision of subsidies from the MTC SR. From 2012 until 2016, the MTC SR provided the following funds for the construction of rental apartments intended for social housing (Table 4):

Year	*Number of supported constructions*	*The number of social apartments of common standard*	*Subsidy provided in EUR*	***Total in EUR***
		The number of rental apartments of lower standard		
2012	84	1 037	12 172 180	
	23	251	3 883 130	**16 055 310**
2013	69	1 197	13 906 940	
	12	202	2 836 740	**16 743 680**
2014	119	1 904	31 462 940	
	11	103	2 017 490	**33 480 430**
2015	103	1 844	30 110 570	
	6	56	1 071 620	**31 182 190**
2016	82	1 160	20 318 980	
	7	190	4 184 160	**24 503 140**

On recommendation C 23

214. Public health authorities also arrange preventive activities in the prevention of smoking under the National Tobacco Control Programme. They organise lectures in elementary, secondary and special schools on the topic: Smoking prevention. Simultaneously, within smoking cessation advisory centres established at the regional public health authorities of the SR, they perform the measurement of carbon monoxide in inhaled air and determine the risk of dependence on nicotine with a subsequent consultancy

for general public. Since 2016, there has been a smoking cessation telephone line operated by the Public Health Authority of the SR in cooperation with regional public health authorities. Further details are stated in point 125 of the appendix.

215. All materials (national report, press release, infographics and promotional video[12]) are available on-line[13] and they can be freely downloaded and used.

216. The results of the HBSC show that in connection with the experience of smoking tobacco (at least once in a lifetime) — comparison of findings from HBSC 2009/2010 and HBSC 2013/2014, the number of schoolchildren in Slovakia having experience with tobacco smoking dropped significantly in all analysed groups (11, 13 and 15 years old pupils). More detailed information is included in a National Report on Health and Health Related Behaviour of 11, 13 and 15 Years Old Schoolchildren, HBSC — Slovakia 2013/2014.[14]

On recommendation C 24

217. Hormonal contraception is one of the many methods that can lead to the prevention of unwanted conception. The MH SR, from professional point of view, is of the opinion that there is no ideal contraceptive and none of the existing available form of contraception will guarantee absolute protection against conception. Each form also brings risks and possible side effects. Hormonal contraception can be highly effective only if used correctly. Generally, we perceive the contraception as a protection against unwanted pregnancy by means of contraceptive methods intended not only for a woman, but also for a man. Medicines that contain a substance preventing conception, pregnancy, such as contraceptives, are not included in a list of officially set prices or in a list of categorised drugs since conception and pregnancy are natural physiological phenomenons which cannot be considered pathological. The legislation is provided in points 126-129 of the appendix.

218. According to the data of the database of registered medicines at the State Institute for Drug Control, there currently are registered or available in the SR 387 types of hormonal contraception preparations and 13 types of contraceptives for local use, which a healthcare provider can prescribe to a women and she can, based on a prescription, buy it in a pharmacy, paying the full price. A pharmacist will provide the woman with necessary information on the product and the method of use. Contraceptives, as other contraception methods, are available in the SR and if the use of contraceptives is medically justified, the patient's health insurance company can pay for it from the public health insurance. An individually assessed request for a special method of payment makes it possible to better consider the health risks of treatment and to effectively use public funds intended for health care.

219. The MH SR issues, under the Education Law, state educational programmes for medical courses preparing students for medical professions in medical vocational schools. The state educational programmes, within general and vocational theoretical education, contain topics focused on sexual education and reproductive health. Also during practical instruction and professional clinical practice in relation to treatment and assistance, the students also familiarise themselves, among other things, with the issue of pregnancy at an early age and sexually transmitted diseases. Within the further education of healthcare professional, the MH SR lays down minimum standards for specialised study programmes, minimum standards for certification study programmes and minimum standards for study programmes of continuous training. The scope of theoretical knowledge of minimum standards for relevant courses includes specific knowledge related to sexual health.

On recommendation C 25
Methodological and legislative guidance and recommendations of the MESRS SR

220. In accordance with the right of the child to protection against physical, psychological and sexual violence, sufficient information on the risk that the child can

[12] https://youtu.be/TXN7Tmm02_g.
[13] http://www.coherent.sk/.
[14] https://www.upjs.sk/public/media/11746/2015-06 08%20narodna%20sprava%20HBSC.pdf.

become a victim of sexual abuse, exploitation and child pornography is available in a way corresponding to the age of the child. Direct educational activity puts emphasis on the reduction of this risk, with a special attention paid to the risk arising from the use of the Internet and social networks.[15]

State educational programme

221. The content of education for matrimony and parenthood (hereinafter the "EMP") is defined in curriculum approved by the MESRS SR in 2010. The EMP is of a significantly inter-disciplinary nature since it relates to all areas and phases of human life. It integrates in itself pedagogical, biological, psychological and sociological knowledge on maturing, sexuality, matrimony, family life and intimate relations. Therefore, it is implemented through individual educational subjects according to the specifics and possibilities of a school educational level, e.g. in the following subjects: Slovak language and literature, basics of humanities and natural science, natural science, national history, biology, civics, ethical education and religious education. A revised state educational programme for elementary school and a revised state educational programme for grammar schools, in which the EMP is included in cross-cutting themes, entered into force on 1 September 2015.

222. The content of the EMP is based on a Concept of Education for Matrimony and Parenthood developed on the basis of a SR Government Resolution 389/1996 approving a Concept of State Family Policy, further a Comprehensive Program for the Prevention of HIV/AIDS in the SR adopted by a SR Government Resolution 390/1996 and the National Health Promotion Programme approved by SR Government Resolution 659/1991.

223. This concept also implicitly includes the issue of sexual education included in the curriculum for elementary schools and secondary schools and it represents a proposal acceptable for various opinion groups. The fundamental part of preparation consists in dealing with sexuality in a way that, under the definition of sexual health, it would "enrich personality, improve its relations with people and develop the ability to love" (WHO Copenhagen, 1974).

224. The implementation process of the EMP is connected with the age category of students and the level of their physical, psychological and social maturity, and also with specific conditions of the school. In every school there is a recommended EMP coordinator who is responsible for the inclusion of the EMP into the school education. The educational programme of each school must be developed in accordance with the principles and objectives of the Education Law. The MESRS SR does not support such educational programmes that would favour, in a discriminative manner, education focused exclusively on the individual benefit to the individual, or the denial of the fundamental rights of the family. And certainly not such programmes that could threaten the moral education of children and young people.

On recommendation C 27

225. The rights of citizens belonging to minority groups, including linguistic rights, are enshrined in legislation and they are fully exercised. Law 270/1995 on National Language of the SR does not create barriers to the use of the languages of national minorities in official communication. The legislation is provided in points 130-133 of the appendix.

226. On the basis of incentives submitted to the Committee for National Minorities, the office of plenipotentiary initiated the process of recognising the Russian language and Serbian language as minority languages in the SR under a Language Charter. The proposal to recognise the Russian language and the Serbian language as minority languages in the SR under Part II of the Language Charter was approved by the Government Council of the SR on 15 October 2015. Subsequently, the material was approved by the government of the SR on 18 November 2015. The Secretary General of the Council of Europe was informed on 25 November 2015 on the recognition of the Russian language and the Serbian language as minority languages in the SR under Part II of the Language Charter.

[15] Pedagogical-organisational instructions for the school year 2016/2017, Part 1.5.11. Safety and prevention, Point 4.

227. Law on National Language and the Law on the Use of Languages of National Minorities were amended in 2011. More detailed information is included in points 134-138 of the appendix.

On recommendation C 28

228. The MFEA SR, published on its website www.mzv.sk the second and the third report of the SR submitted to the committee in the Slovak and English languages. It also published the final recommendations of the committee from 2012 in the English language. It published a government approved Report on the Assessment of the Second Periodical Report of the SR according to the pact in front of the committee with a proposal of entities responsible for the implementation of recommendations included in a Final Opinion of the Committee, which contains data on the implementation of recommendations of the committee by the relevant state authorities of the SR, in the Slovak language.